

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KIMBERLY PHILLIPS,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	NO. 15-5248
	:	
NANCY A. BERRYHILL,¹ Acting	:	
Commissioner of Social Security,	:	
Defendant.	:	

ORDER

AND NOW, this 29th day of March, 2018, upon independent consideration of the plaintiff's request for review, the defendant's response, and the plaintiff's reply (Doc. Nos. 8, 10, and 11), and after review of the thorough and well-reasoned Report & Recommendation of U.S. Magistrate Judge Elizabeth T. Hey (Doc. No. 14), the defendant's objection (Doc. No. 15), and the plaintiff's response (Doc. No. 17), IT IS ORDERED that:

1. The Report & Recommendation is APPROVED and ADOPTED.
2. The plaintiff's request for review is GRANTED, and the decision of the Commissioner of the Social Security Administration is VACATED.
3. The matter is REMANDED to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report & Recommendation.

¹ Nancy A Berryhill became the Acting Commissioner of Social Security on January 23, 2017. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Ms. Berryhill should be substituted for the former Acting Commissioner, Carolyn Colvin, as the defendant in this action. No further action need be taken to continue this suit pursuant to section 205(g) of the Social Security Act. 42 U.S.C. § 405(g).

4. The Clerk of Court is directed to mark this case CLOSED for statistical purposes.

BY THE COURT:

/s/ *Lawrence F. Stengel*
LAWRENCE F. STENGEL, C.J.